

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF MICHIGAN  
NORTHERN DIVISION

KEVIN HARRIS,

Plaintiff,

v.

Case No. 2:06-cv-268  
HON. R. ALLAN EDGAR

DOUGLAS WEST,

Defendants.

\_\_\_\_\_ /

**ORDER AND JUDGMENT**  
**APPROVING REPORT AND RECOMMENDATION**

The Court has reviewed the Report and Recommendation filed by the United States Magistrate Judge in this action. The Report and Recommendation was duly served on the parties, and no objection has been made thereto within the time required by law.

THEREFORE, IT IS ORDERED that:

1. The Report and Recommendation of the Magistrate Judge (Docket #42) is approved and adopted as the opinion of the Court.

2. Defendant's motion for summary judgment (Docket #13) is GRANTED and plaintiff's complaint is DISMISSED with prejudice. Plaintiff's motion for appointment of counsel (Docket #35) is DENIED.

3. The Court can discern no good-faith basis for an appeal. Accordingly, an appeal of this action would not be taken in good faith.

Dated: 3/11/08

/s/ R. Allan Edgar  
R. ALLAN EDGAR  
UNITED STATES DISTRICT JUDGE